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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 03 2020
SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

7 UNITED STATES DISTRICT COURT
8 FOR THE EASTERN DISTRICT OF WASHINGTON

9
10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JAVIER R. TIJERINA,

14 Defendant.

2:20-CR-36-RMP

INDICTMENT

Vio: 21 U.S.C. § 841(a)(1),
(b)(1)(C)
Possession with Intent to
Distribute a Mixture and
Substance Containing a
Detectable Amount of
Methamphetamine
(Count 1)

18 U.S.C. §§ 922(g)(1),
924(a)(2)
Felon in Possession of
Firearms
(Count 2)

Forfeiture Allegations:
21 U.S.C. § 853, 18 U.S.C.
§ 924 and 28 U.S.C. § 2461

1 The Grand Jury charges:

2 COUNT 1

3 On or about February 8, 2020, in the Eastern District of Washington, the
4 Defendant, JAVIER R. TIJERINA, did knowingly and intentionally possess with
5 the intent to distribute a mixture and substance containing a detectable amount of
6 methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C.
7 § 841(a)(1), (b)(1)(C).

8 COUNT 2

9 On or about February 8, 2020, in the Eastern District of Washington, the
10 Defendant, JAVIER R. TIJERINA, knowing of his status as a person previously
11 convicted of a crime punishable by imprisonment for a term exceeding one year,
12 did knowingly possess in and affecting commerce, firearms, to wit:

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- 14 - a Lorcini, model L380, .380 caliber pistol, bearing serial number 397739;

15 and

- 16 - a Harrington and Richardson, model 649, .22 caliber revolver, bearing

17 serial number AU116234;

18 which firearms having been shipped and transported in interstate and foreign
19 commerce, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

20 NOTICE OF CRIMINAL FORFEITURE

21 The allegations contained in this Indictment are hereby realleged and
22 incorporated by reference for the purpose of alleging forfeitures pursuant to 21
23 U.S.C. § 853, 18 U.S.C. § 924 and 28 U.S.C. § 2461.

24 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21
25 U.S.C. § 841 as set forth in Count 1 of this Indictment, the Defendant, JAVIER R.
26 TIJERINA, shall forfeit to the United States of America, any property constituting,
27 or derived from, any proceeds obtained, directly or indirectly, as the result of such

1 violation and any property used, or intended to be used, in any manner or part, to
2 commit, or to facilitate the commission of, such violation.

3 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
4 of the offense as set forth in Count 2 of this Indictment, the Defendant, JAVIER R.
5 TIJERINA, shall forfeit to the United States of America, any firearm and
6 ammunition involved or used in the commission of the offense.

7 If any of the property described herein, as a result of any act or omission of
8 the Defendant:

9

- 10 a. cannot be located upon the exercise of due diligence;
- 11 b. has been transferred or sold to, or deposited with, a third party;
- 12 c. has been placed beyond the jurisdiction of the court;
- 13 d. has been substantially diminished in value; or
- 14 e. has been commingled with other property which cannot be divided
15 without difficulty,

16 the United States of America shall be entitled to forfeiture of substitute
17 property pursuant to 21 U.S.C. § 853(p).

18 DATED this 3 day of March, 2020.

19 A TRUE BILL

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William D. Hyslop
United States Attorney

Foreperson

James A. Goeke
Assistant United States Attorney